

Message Text

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ORIGIN ARA-10

INFO OCT-01 ISO-00 L-03 SCS-03 SCA-01 H-02 /020 R

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P 102231Z JUN 75

FM SECSTATE WASHDC

TO AMEMBASSY LA PAZ PRIORITY

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E.O. 11652: N/A

TAGS: CASC, BL

SUBJECT: DETENTION OF AMERICAN CITIZENS

FOLLOWING TELEGRAM SENT TO EMBASSIES SANTIAGO AND BUENOS AIRES DECEMBER 7, 1974, MAY BE OF INTEREST TO POST IN DEALING WITH VANDERVOORT AND FUTURE DETENTION CASES.

QUOTE. 1. IN ORDER TO PREVENT POSSIBLE MISUNDERSTANDING OR MISINTERPRETATION OF DEPARTMENT'S EFFORTS ON BEHALF OF AMERICAN CITIZENS DETAINED BY LOCAL AUTHORITIES, EMBASSY IS REQUESTED TO INSTITUTE FOLLOWING PROCEDURES IN SUCH FUTURE CASES.

QUOTE. A) FORMAL PROTEST BY NOTE SHOULD BE SUBMITTED AS MATTER OF COURSE WHENEVER OBVIOUS VIOLATIONS OF VIENNA CONVENTION ARE KNOWN TO HAVE OCCURRED, SPECIFICALLY FAILURE TO PROVIDE CONSULAR ACCESS OR FAILURE TO PROMPTLY INFORM EMBASSY OF AMCIT DETENTION.

QUOTE. B) EMBASSY SHOULD OBTAIN FROM ALL AMCITS DETAINED BY LOCAL AUTHORITIES AS FULL AND COMPLETE AN ACCOUNT OF THEIR
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EXPERIENCE WHILE UNDER DETENTION AS POSSIBLE WITH SPECIFIC

ATTENTION ADDRESSED TO QUESTION OF PHYSICAL OR OTHER TYPES

OF MISTREATMENT, ABUSE, OR INTIMIDATION. AMCITS WHO HAVE BEEN DETAINED SHOULD BE ENCOURAGED TO PROVIDE SUCH INFORMATION IN ORDER TO PERMIT EMBASSY TO PROMPTLY REPORT AVAILABLE FACTS TO DEPARTMENT AND THUS ASCERTAIN WHETHER CIRCUMSTANCES WARRANT FORMAL PROTEST OR OTHER ACTION. SHOULD AMCIT CHOOSE TO DO SO, STATEMENT CAN BE SUBMITTED IN FORM OF AFFIDAVIT.

QUOTE. C) REFERENCED STATEMENT AND ALL PERTINENT FACTS SHOULD BE SUBMITTED TO DEPARTMENT AS PROMPTLY AS POSSIBLE.

QUOTE. D) UNDER NO CIRCUMSTANCES SHOULD THE EMBASSY OR ANY EMBASSY OFFICER ACCEPT CUSTODY OF A DETAINED AMCIT AS A CONDITION OF RELEASE. HOWEVER, IN INSTANCES WHERE AN AMCIT HAS BEEN RELEASED AND PLANS IMMEDIATE DEPARTURE FROM THE COUNTRY HE SHOULD BE PHYSICALLY ASSISTED IN HIS DEPARTURE ARRANGEMENTS INCLUDING, WHERE APPROPRIATE, LODGING WITH AN AMERICAN FAMILY. UNQUOTE. KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 10 JUN 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: CunninFX
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE135338
Document Source: CORE
Document Unique ID: 00
Drafter: MWCOTTER:EO
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750202-0848
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750663/aaaacfwu.tel
Line Count: 81
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN ARA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: CunninFX
Review Comment: n/a
Review Content Flags:
Review Date: 09 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <09 APR 2003 by ElyME>; APPROVED <22 SEP 2003 by CunninFX>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: DETENTION OF AMERICAN CITIZENS FOLLOWING TELEGRAM SENT TO EMBASSIES SANTIAGO AND BUENOS
TAGS: CASC, BL
To: LA PAZ
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006